

SENATE BILL REPORT

SB 6231

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 06, 2008
Ways & Means, February 12, 2008

Title: An act relating to improving the coordination of marine protected areas in Washington.

Brief Description: Improving the coordination of marine protected areas.

Sponsors: Senators Jacobsen and Shin.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/31/08, 2/06/08 [DP-WM].
Ways & Means: 2/11/08, 2/12/08 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Hatfield, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Rockefeller, Spanel, Stevens and Swecker.

Staff: Curt Gavigan (786-7437)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6231 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Hatfield, Hewitt, Hobbs, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Elise Greef (786-7708)

Background: The federal government, through Executive Order, has defined the term "marine protected area" (MPA) as any area of the marine environment that has been reserved by federal, state, tribal, territorial, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein.

Washington State contains 74 areas identified in the federal marine managed areas (MMA) database, including federal, state, and locally managed areas. An MMA refers to areas

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established for some conservation purpose in the marine environment and is more inclusive than the term MPA.

Several state agencies have authorities relevant to establishing marine protected areas. The Department of Natural Resources (DNR) has the authority to establish aquatic reserves, allowing it to withhold from leasing aquatic lands with significant natural values. Through the Natural Areas Program, DNR manages sites with significant natural resource features, such as areas that have retained their natural character or contain important plant or geological features, as Natural Area Preserves or Natural Resource Conservation Areas.

The Department of Fish and Wildlife (DFW) manages the state's fish and wildlife resources. Specifically, DFW may adopt rules specifying the areas and waters in which the taking and possession of fish and wildlife is lawful or unlawful.

The Legislature has set aside the Seashore Conservation Area along Washington's coast for the recreation and enjoyment of the public. The Seashore Conservation Area is managed by the State Parks and Recreation Commission (State Parks), which also has the duty to manage parks and parkways for the benefit and enjoyment of all the people of the state.

Summary of Bill (Recommended Substitute): The MPA work group (work group) is established. The Director of DFW must chair the group. The group must consist of representatives of state agencies and local governments with jurisdiction over MPAs, including DFW, DNR, State Parks, and appropriate marine resources' committees. The Chair must also invite representatives of appropriate federal agencies and tribal governments, and may invite other appropriate state agencies, to participate.

The work group must:

- examine the current inventory and management of Washington's MPAs;
- develop recommendations to improve coordination and consistency regarding MPA management goals, criteria for establishment, management practices, terminology, and monitoring;
- develop recommendations to improve the integration of science into MPA establishment and management;
- develop recommendations to further integrate local governments and nongovernmental organizations into the establishment and management of MPAs; and
- provide any other recommendations to improve the effectiveness of MPAs.

By December 1, 2009, the work group must report its findings and recommendations to the Legislature.

If SSB 6307 or subsequent version passes, which directs the Puget Sound Partnership to write a marine management area plan for the Puget Sound, and for state agencies that manage marine environments to incorporate the plan in its activities, then the Marine Protected Areas work group, established in this bill, is to focus its efforts on the outer coast to avoid duplication of work. If SSB 6307 does not pass, the work group must work with the Puget Sound Partnership on issues relating to Puget Sound marine protected areas to ensure coordination.

The term MPA is defined as a geographic marine or estuarine area designated by a state, federal, tribal, or local government in order to provide long-term protection for part or all of the resources within that area.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Substitute): Specifies the role of the Marine Protected Areas work group and of the Puget Sound Partnership in the event SSB 6307, or subsequent version, is enacted to avoid duplication of effort and ensure coordination.

Appropriation: None.

Fiscal Note: Requested on January 9, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Natural Resources, Ocean & Recreation): PRO: An examination of the management of marine protected areas is in the best interest of all Washington's citizens. These areas provide habitat opportunities, and recreation as well. Any conversations that encourage cooperate land management among state agencies, local governments, and nongovernmental organizations are valuable.

Persons Testifying (Natural Resources, Ocean & Recreation): PRO: Craig Burley, Department of Fish and Wildlife; Fran McNair, Department of Natural Resources.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.